

## **BILL NO. 17-253**

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AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A PORTION OF NW GREGORY BLVD, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the right-of-way was established by Book 2, Page 328 of the Jackson County Road Record in 1882; and,

WHEREAS, the right-of-way existed in Jackson County prior to annexation into the City of Lee's Summit; and,

WHEREAS, Application #PL2017-221, submitted by the City of Lee's Summit, requesting vacation of the right-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on November 28, 2017, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of right-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on December 7, 2017, and rendered a decision to vacate said right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described right-of-way is hereby and herewith vacated:

*THAT PART OF THE SOUTH ½ OF SECTION 18, TOWNSHIP 48, RANGE 31, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AS ESTABLISHED BY COUNTY ROAD RECORD BOOK 2, PAGE 328, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STROTHER ROAD AS ESTABLISHED BY DOCUMENT NO. 2012E0093035, DATED AUGUST 9, 2012 AND LYING EAST OF THE WEST LEE'S SUMMIT CITY LIMITS LINE AS ESTABLISHED BY ORDINANCE NO. 628, PASSED MAY 10, 1960, EFFECTIVE DECEMBER 31, 1964.*

SECTION 2. That the following conditions of approval apply:

1. A utility easement shall be retained over the 40' wide right-of-way in order to accommodate existing utility infrastructure.

SECTION 3. That the City Clerk be and is hereby authorized and directed to acknowledge a copy of this ordinance and to record same in the Office of the Recorder of Deeds for the County in which the property is located.

SECTION 4. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor Randall L. Rhoads

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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*Mayor Randall L. Rhoads*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*